IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP NO. 1425 of 2007

DATE OF DECISION: 30.1.2007

Ami Chand ....Petitioner.

Versus

State of Punjab and others ....Respondents.

CORAM: HON'BLE MR.JUSTICE J.S. KHEHAR
HON'BLE MR. JUSTICE S.D. ANAND

PRESENT: Mr. H.N.Khanduja, Advocate for
for the petitioner.

J.S. Khehar, J. (oral)

Through the instant writ petition, the petitioner has impugned the orders dated 1.12.2005 and 25.10.2005 (Annexures P1 and P2 respectively), whereby the petitioner has been denied complete retiral benefits on account of recovery made from him by refixing his basic salary. As against the aforesaid grievance of the petitioner, he is stated to have issued a legal notice dated 17.10.2006 (Annexure P-4). Learned counsel for the petitioner states that no decision has been taken on the aforestated legal notice by the respondents.

Learned counsel for the petitioner states that the petitioner will be satisfied if the instant writ petition is disposed of with a direction to respondent No.3 i.e. the District Education Officer (Elementary), Patiala, requiring him to take a final decision on the legal notice dated 17.10.2006 (Annexure P4).

In view of the innocuous prayer made by the learned counsel

for the petitioner, without going into the merits of the claim raised by the petitioner, we consider it just and appropriate to dispose of the instant writ petition by directing respondent No.3 i.e. the District Education Officer (Elementary), Patiala, to take a final decision on the legal notice dated 17.10.2006 (Annexure P4), by passing a well reasoned speaking order within two months from the date of receipt of a certified copy of this order. In case the petitioners is found entitled to any monetary benefits, the same shall be calculated and released to them within a further period of one month.

Disposed of accordingly.

Order dasti, on payment of usual charges.

(J.S. Khehar)
Judge

(S.D. Anand)
Judge

January 30, 2007.
vig